

Counsel's Rule 11 Compliance Certification – Reply to Motion for Summary Judgment

By signing this Rule 11 Compliance Certification, I attest that I have completed the following actions before filing the reply in support of the motion for summary judgment filed contemporaneously with this Certification. I understand that, in many instances, the failure to complete the following actions before moving for summary judgment could subject me to sanctions at least pursuant to Rule 11 of the Federal Rules of Civil Procedure.

- Carefully read the plaintiff's response and all evidence submitted by the plaintiff at any time in this action, including any sworn response or sworn pleading;
- In light of the plaintiff's response and evidence, conducted a further reasonable investigation into any factual contentions in the reply as required by Rule 11(b)(3);
- Reviewed the legal standards governing a motion for summary judgment, including that summary judgment is only warranted if there is no genuine issue of material fact and that the Court must view the evidence in the light most favorable to the nonmovant and drawing all reasonable inferences in the nonmovant's favor;
- Given the evidence present by the plaintiff and the legal standards governing summary judgment, considered whether there remains a basis to continue to pursue summary judgment consistent with Rule 11(b)(2). If not, I have considered withdrawing the motion for summary judgment because genuine issues of material fact preclude summary judgment in favor of the defendant(s); and
- If I can attest to all of the foregoing, I understand that the Court expects the reply to demonstrate that no genuine issues of material fact exists by directly confronting the evidence presented by the plaintiff to dispute evidence presented by the defendant(s) and explaining why, despite the plaintiff's evidence, there remain no genuine issues of material fact.

Signature: